

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BENITO FEBRE,

1:05-cv-00563-OWW-SMS-P

Plaintiff,

**ORDER ADOPTING FINDINGS AND
RECOMMENDATION** (Doc. 9)

vs.

ORDER DISMISSING ACTION

GEO GROUP INC., et al.,

Defendants.

Benito Febre ("Plaintiff"), is a federal prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics, 403 U.S. 388 (1971). The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 72-302.

On November 14, 2006, the Magistrate Judge filed Findings and Recommendation herein which were served on the parties and which contained notice to the parties that any objections to the Findings and Recommendation were to be filed within fifteen (15) days. To date, the parties have not filed objections thereto.¹

¹ The United States Postal Service returned the order served on Plaintiff on November 27, 2006, as undeliverable. A notation on the envelope indicated: Return to Sender - Cannot Locate/Refused. However, Plaintiff has not notified the Court of any change in his address. Absent such notice, service at a party's prior address is fully effective. See Local Rule 83-182(f).

1 In accordance with the provisions of 28 U.S.C.
2 § 636(b)(1)(C) and Local Rule 73-305, this Court has conducted a
3 de novo review of this case. Having carefully reviewed the
4 entire file, the Court finds the Findings and Recommendation to
5 be supported by the record and by proper analysis.

6 Accordingly, IT IS HEREBY ORDERED that:

7 1. The Findings and Recommendation, filed November 14,
8 2006, are ADOPTED in full; and,

9 2. This action is DISMISSED for Plaintiff's failure to
10 prosecute and because the Complaint fails to state a claim for
11 relief.

12 3. The Clerk of Court is DIRECTED to enter judgment in
13 accordance with this Order.

14
15 IT IS SO ORDERED.

16 **Dated: December 19, 2006**
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/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE